



DIVISION OF DEVELOPMENTAL DISABILITIES
Olympia, Washington

TITLE: STATE SUPPLEMENTARY PAYMENT (SSP) POLICY 16.01
PROGRAM - OVERPAYMENTS

Authority: Engrossed Senate Substitute Bill (ESSB) 6387
WAC 388-827-0015, WAC 388-827-400 through 420 and WAC 388-845-0115
State Supplementary Payment (SSP) Resource Manual, Section III
DSHS Administrative Policy 10.02, *Vendor/Provider Overpayment
and Debt Policy*

BACKGROUND

In the Fiscal Year 2003 supplemental budget, the Legislature directed the Division of Developmental Disabilities (DDD) to begin paying State Supplementary Payment Program (SSP) to specific clients of DDD. In published Engrossed Substitute Senate Bill (ESSB) 6387, the Legislature stated, "New funding for family support and transition along with portions of existing funding for these programs shall be provided as supplemental security income (SSI) state supplemental payments. The Legislature finds that providing cash assistance to individuals and families needing these supports promotes self-determination and independence. It is the intent of the Legislature that the department shall comply with Federal requirements to maintain aggregate funding for SSI state supplemental payments while promoting self-determination and independence for persons with developmental disabilities..."

DDD began the administration of the SSP in August 2002.

The Community Alternatives Program (CAP) expired on March 31, 2004. DDD began the administration of new Home and Community Based Services waivers (DDD waivers) on April 1, 2004. There are four DDD waivers: Basic, Basic Plus, Core and Community Protection.

PURPOSE

This policy provides guidelines for the establishment of SSP overpayments.

SCOPE

This policy applies to the administration of the SSP to individuals in need of certain state-only, funded DDD services, including family support and residential services. County funded employment/day program services are outside the scope of this policy.

DEFINITIONS

Liability means the responsibility to repay to the department the amount of an overpayment.

Overpayment means any SSP paid that is more than the amount the individual was eligible to receive.

POLICY

1. DDD will establish overpayments for the receipt of SSP when the client was not eligible to receive the SSP.
2. No overpayment occurred if the individual, not on a DDD waiver or on a DDD waiver but whose Plan of Care (POC) has **not** been completed, would have been eligible for the service with other state-only funding and an Exception to Rule (ETR) is approved to change the funding source from SSP to another state-only funding source.
3. An overpayment has occurred for individuals on a DDD waiver and whose POC has been completed if the individual received SSP after the POC was completed and was not eligible to receive the SSP for any reason.

PROCEDURES

A. Identify If An Overpayment Occurred. An Overpayment Can Occur For Any Of The Following Reasons:

1. An individual was not eligible for and did not receive SSI in the month in which the SSP was issued;
2. The individual was not eligible for the services from DDD under [WAC 388-827-0115](#) in the month in which the SSP was issued;
3. The individual received more SSP than eligible to receive; or

4. The individual's assessed need changed.

B. Individuals Not On A DDD Waiver After March 31, 2004 And Individuals On A DDD Waiver After March 31, 2004 But Whose POC Has Not Been Completed

1. Determine if the overpayment should be established.
 - a. Review the reason for the overpayment.
 - b. If the overpayment occurred because the individual was not eligible for and did not receive SSI in the month in which the SSP was issued, determine if the individual may have been eligible under another state-only funding source.
 - c. If the individual may have been eligible under another state-only funding source, initiate an ETR to change the funding source from SSP to another state-only funding source.
 - d. If the ETR is approved, no overpayment should be established. Headquarters staff will initiate a journal voucher to transfer the SSP funds that were erroneously paid to another state-only funding source.
 - e. If the ETR is denied, an overpayment has occurred.
 - f. Headquarters staff will notify the field of the decision regarding the ETR.
2. Determine liability for repayment if the ETR has been denied and an overpayment has occurred. Liability may rest with the individual, the representative payee or both, in accordance with [WAC 388-827-0420](#).
3. If the ETR has been denied and an overpayment has occurred, establish the overpayment in accordance with Section III of the SSP Resource Manual.

C. Individuals On A DDD Waiver After March 31, 2004 And Whose POC Has Been Completed

1. If an individual received SSP after the POC was completed and was ineligible to receive the SSP, an overpayment has occurred.
2. Determine liability for repayment. Liability may rest with the individual, the representative payee or both, in accordance with [WAC 388-827-0420](#).

3. Establish the overpayment in accordance with Section III of the SSP Resource Manual.

EXCEPTIONS

None

SUPERSESSION

None

Approved: /s/ Linda Rolfe Date: May 23, 2004
Director, Division of Developmental Disabilities